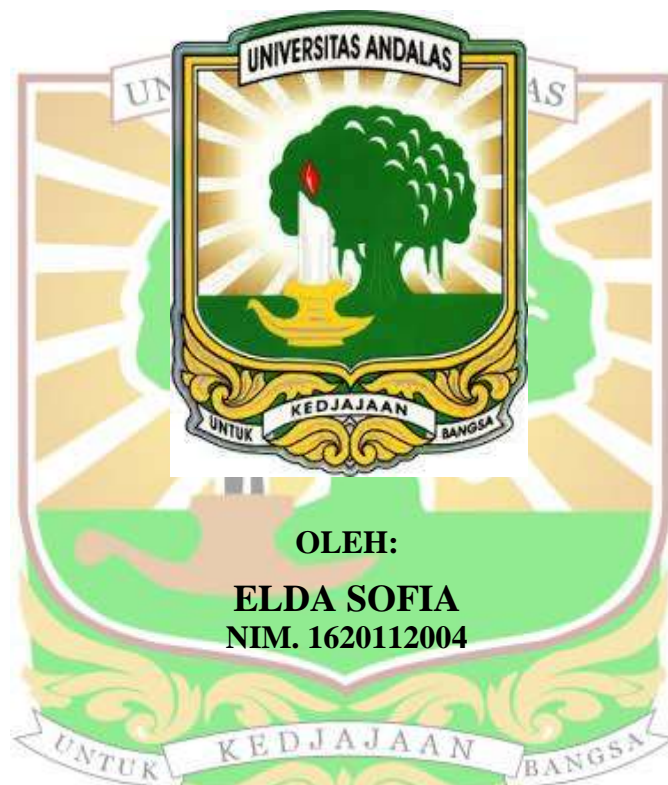


**IMPLIKASI HUKUM *PARIS AGREEMENT TO THE UNFCCC* DALAM  
MENGURANGI EMISI KARBON DIOKSIDA MELALUI PROGRAM *REDD+*  
BERBASIS *BLUE CARBON* DI INDONESIA**

**TESIS**

*Diajukan sebagai salah satu syarat untuk memperoleh gelar  
Magister Ilmu Hukum*



**OLEH:**

**ELDA SOFIA  
NIM. 1620112004**

**KOMISI PEMBIMBING :**

**PROF. FIRMAN HASAN, SH, LL.M  
Dr. SUKANDA HUSIN, SH, LL.M**

**PROGRAM STUDI ILMU HUKUM  
PROGRAM PASCASARJANA FAKULTAS HUKUM  
UNIVERSITAS ANDALAS  
2019**

# **Implikasi Hukum *Paris Agreement To The UNFCCC* dalam Mengurangi Emisi Karbon dioksida Melalui Program *REDD+* Berbasis *Blue Carbon* di Indonesia**

(Elda Sofia, 1620112004, Program Magister Ilmu Hukum Fakultas Hukum Universitas Andalas, 2018)

## **ABSTRAK**

Untuk menggantikan *Kyoto Protocol* pasca 2020 negara peserta *UNFCCC* membuat komitmen baru yaitu *Paris Agreement to the UNFCCC*. *Paris Agreement to the UNFCCC* berhasil dirumuskan pada *COP 21 UNFCCC* tanggal 12 Desember 2015 di Paris, Perancis. *Paris Agreement* merupakan perjanjian internasional tentang perubahan iklim yang bertujuan untuk menahan kenaikan suhu rata-rata global di atas 2°C di atas tingkat di masa pra-industrialisasi dan melanjutkan upaya untuk menekan kenaikan suhu ke 1.5°C di atas tingkat pra-industrialisasi. Indonesia telah meratifikasi *Paris Agreement to the UNFCCC* menjadi Undang-Undang Nomor 16 tahun 2016 tentang *Pengesahan Paris Agreement to the UNFCCC*. Di dalam *Paris Agreement to the UNFCCC*, semua Negara diberikan kewajiban untuk mengurangi emisi gas rumah kaca sesuai dengan prinsip *common but differentiated responsibilities*. Kewajiban pengurangan emisi gas rumah kaca ditetapkan dalam *nationally determined contribution/NDC*. Di dalam *NDC*, Indonesia berkomitmen untuk mengurangi emisi gas rumah kaca sebesar 29% dengan upaya sendiri dan sampai dengan 41% dengan bantuan internasional. Pengurangan emisi gas rumah kaca melalui sektor kehutanan adalah sektor utama dalam *NDC* Indonesia yaitu sebesar 17.2%. Permasalahan yang menjadi kajian dalam penelitian ini adalah : Apa implikasi hukum *Paris Agreement to the UNFCCC* bagi Indonesia ? dan Bagaimanakah kesiapan Indonesia melaksanakan program *REDD+* berbasis *Blue Carbon* untuk mengurangi emisi karbon dioksida ? serta Apakah persoalan hukum yang dihadapi oleh Indonesia dalam mengimplementasikan program *REDD+* berbasis *Blue Carbon* ? Penelitian ini menggunakan Metode Penelitian Hukum normatif atau *yuridis normative*. Berdasarkan hasil penelitian: *Pertama*, pasca diratifikasinya *Paris Agreement to the UNFCCC* membawa implikasi hukum bagi Indonesia yaitu dibentuknya sejumlah peraturan-peraturan terkait *REDD+* di sektor kehutanan. *Kedua*, Upaya-upaya yang dilakukan pemerintah Indonesia untuk mengimplementasikan *Paris Agreement to the UNFCCC* sektor kehutanan adalah membentuk sejumlah peraturan-peraturan hukum terkait *REDD+*, dan aksi-aksi secara langsung berupa penurunan tingkat deforestasi dan degradasi hutan serta peningkatan cadangan karbon. *Ketiga*, Dalam implementasi *Paris Agreement to the UNFCCC* untuk mencapai *NDC* ditemukan persoalan-persoalan hukum yang bias menjadi faktor penghambat tercapainya target *NDC* Indonesia yaitu penegakan hukum, kepastian hukum kawasan hutan. Disarankan agar dibentuknya regulasi tentang perlindungan terhadap hutan mangrove.

**Kata Kunci:** *Paris Agreement*, *REDD+*, dan *Blue Carbon*

# **The Legal Implications of Paris Agreement to the UNFCCC in Reducing Carbon Dioxide Emissions Through REDD+ Program Based on Blue Carbon in Indonesia**

(Elda Sofia, 1620112004, Graduate Program of Law, Faculty of Law  
Andalas University, 2018)

## **ABSTRACT**

To replace Kyoto Protocol to the UNFCCC post 2020 the Participating Countries of UNFCCC made a new commitment namely Paris Agreement to the UNFCCC. The Paris Agreement to the UNFCCC was formulated at COP 21 UNFCCC on 12 December 2015 in Paris, France. The Paris Agreement is an international agreement on climate change aimed at holding the increase in the global average temperature to well below 2°C above pre-industrial levels and pursuing efforts to limit the temperature increase to 1.5°C above pre-industrial levels. Indonesia has ratified the Paris Agreement to the UNFCCC into law No.16/2016 on the Ratification of Paris Agreement to the UNFCCC. In Paris Agreement to the UNFCCC, all Countries have an obligations to reduce greenhouse gas/GHG emissions in accordance with the principle of common but differentiated responsibilities. GHG emissions reductions obligations are set out in a nationally determined contribution/NDC. Within the NDC, Indonesia is committed to reducing greenhouse gas emissions by 29% on its own and up 41% with international assistance. GHG emissions reductions through the forestry sectors are key sectors in the NDC Indonesia at 17.2%. The problems studied in this research are: What is the legal implications of Paris Agreement to the UNFCCC for Indonesia ? and How is the readiness of Indonesia to implement REDD+ program based on blue carbon in Reducing Carbon Dioxide Emissions ? and What is the legal problem faced by Indonesia in implementing REDD+ program based on blue carbon ? This research used normative legal or yuridis normative research methods. The research results: *First*, after ratified of Paris Agreement to the UNFCCC brings legal implications for Indonesia namely the establishment of the laws on REDD+ in forestry sector. *Second*, efforts made by the government of Indonesia is the establishment of the laws on REDD+ and the direct action is reducing emissions from deforestation and forest degradation and the role of conservation and enhancement of forest carbon stocks. *Third*, In implementing of the Paris Agreement to the UNFCCC it has found the legal problem which can be a factor inhibiting the achievement of NDC target consisting of law enforcement, legal certainty of forest area. It is suggested that the Government of Indonesia makes regulation on mangrove forest..

**Keywords:** Paris Agreement, REDD+, and Blue Carbon.